

Attachment to Independent Case Review Report  
for CDRU # 430 Case File # 95-276198.

Material Examiner Malone (RO)

Remarks:

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CRM - 14030

## INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: Cathryn L. Levine

Area(s) of Expertise: Hand + Fiber

Review commenced at: 8:00 (Time), 5/20/99 (Date)

File #: 95-276198

Laboratory #(s): 61223052 5 RQ WS

### Examiner(s) & Symbols

	Reviewed	Not Reviewed		Reviewed	Not Reviewed
<u>RQ</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
<u>WS</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

### Materials Reviewed

Trial testimony transcript(s) of: — none provided —

Testimony Date(s): \_\_\_\_\_ Pages: \_\_\_\_\_

### Laboratory Report(s):

Laboratory Number: 61223052 5 RQ WS Date: 1/30/87

Laboratory Number: \_\_\_\_\_ Date: \_\_\_\_\_

Laboratory Number: \_\_\_\_\_ Date: \_\_\_\_\_

Examiner Bench Notes of: Technician + Agent Malone

Laboratory Number: 61223052 5 RQ WS

Laboratory Number: \_\_\_\_\_

Laboratory Number: \_\_\_\_\_

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Initials: cll

**CRM - 14031**

Was any other material reviewed? ☒ Yes ☐ No

If yes, please identify and/or describe the material: letter of evidence transmittal dated  
12/17/86 from North Myrtle Beach, investigative report dated 6/13/86

### Results of Review

File #: 95-276198 Item or Specimen # Reviewed: Q1, Q2, Q13, Q14  
Q15, Q16, Q17, Q18, Q19, Q20, K1, K2, K4, K5

#### Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?  
☐ Yes ☐ No ☒ Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?  
☐ Yes ☒ No ☐ Unable to Determine

#### Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

☒ Transcript not available.

- 3) Testimony consistent with the laboratory report(s)? ☐ Yes ☐ No ☐ Unable to Determine
- 4) Testimony consistent with the bench notes? ☐ Yes ☐ No ☐ Unable to Determine
- 5) Testimony within bounds of examiner's expertise? ☐ Yes ☐ No ☐ Unable to Determine

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Initials cll

### Comments

(Set forth by above question #, if applicable.  
Use "Additional Comments" Sheet, if needed)

D. The notes regarding the hair examination/comparisons are sparse and abbreviations are used that makes it difficult, if not impossible, for any hair fiber examiner to review and reach the same (or any) conclusion. While reviewer<sup>cell</sup> Reviewer cannot determine if an adequate hair<sup>cell</sup> and scientifically acceptable hair comparison was conducted &<sup>cell</sup> due to the sparse note-taking. In addition, the number of hairs (pubic) placed on 1 slide was listed at approx. ten (10). Having this number of hairs on a slide would hinder any hair comparison - unless the hairs were very  
(cont)

Review completed at: 9:07 pm (Time), 5/20/99 (Date)

Total time spent conducting review (to nearest 1/4 hour): 1.0 hr.

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 4 pages.

Cathryn L. Levine  
(Signature)

5/20/99  
(Date)

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Initials cell

Additional Comments  
(Set forth by question #, if applicable)

File #: 95-276198

small. The length of the hairs is not known to me - the notes do not indicate their size. In my opinion, having this number of hairs on 1 slide could hinder any comparison and I am unable to determine if it did in this case.

(2): I have addressed the sparse note-taking in the above-mentioned explanation to Question 7.

The 2 issues are related. Without proper and scientifically acceptable notes one cannot determine if the appropriate tests were conducted.

The case file does not contain adequate scientific documentation.

The use of the phrase 'individual microscopic characteristics' is generally confusing, if not misleading. I am not sure what this examiner meant by the term 'individual' - notes do not support any explanation of this term.